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# Vandalizing Tainted Commemorations

## I. INTRODUCTION

What should we do about “tainted” public commemorations—commemorations of people who were responsible for injustice, or commemorations of injustice?<sup>1</sup> Recent campaigns to remove commemorations of historical oppressors—notably, for instance, those of Cecil Rhodes in South Africa and the United Kingdom, or Confederate soldiers in the United States—have brought this question to the fore. Two opposing views currently dominate public discussions. According to one, tainted commemorations should not be removed, even though they are connected to injustice. This view is often supported by claims about the importance of preserving our history rather than eliminating aspects of it that we now find repugnant or offensive. According to the other, tainted commemorations should be removed if they are connected to injustice. This view is frequently supported by claims about the relatively greater importance of eliminating the negative impact of tainted commemorations on members of formerly oppressed groups, in terms of their self-respect or social standing. There are many other responses to the initial question, *inter alia*, adding contextualizing information, relocating the commemorations, housing them in museums, or installing “counter” commemorations.

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1. In this article, I focus on material commemorations. I set aside complications arising from immaterial commemorations (such as rituals, practices, etc.).

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These suggestions are often taken, overly quickly, as sensible or plausible in virtue of their occupying the ground between the two dominant views.

There appears to be a paucity of philosophical discussions on how we should treat tainted commemorations. Existing discussions of commemorations center on commemorative activities rather than commemorative artifacts, which include memorials or statues, along with flags and other symbols, among other things. Moreover, the discussion of such activities has tended to focus on the nature of the ethical or moral demand to remember the past, and its weight relative to our other commitments.<sup>2</sup> Answering these questions, however, leaves open the question of what we should do about commemorations of people or events that are now regarded as connected to injustice.

Even the claim that we may not commemorate injustice does not help us to address our initial question. While it may rule out establishing commemorations of immoral conduct, or those which express abhorrent values,<sup>3</sup> it does not tell us what to do about commemorations that already *exist*, the appropriate treatment of which are subject to the demands of historical memory. Moreover, it neglects the possibility that existing tainted commemorations may be subject to processes (of contextualization, and so on) such that the views they express are repudiated, and which may then further the aims of eliminating or mitigating injustice. Indeed, these are the possibilities that are repeatedly referred to by those who criticize the attempts by activists to remove tainted commemorations.

My aims in this article are twofold. The first aim is to clarify the nature of commemorations and the disagreements about their treatment. In Section II, I argue that commemorations can be tainted in more ways than is commonly assumed. In Section III, I clarify the positions for and against removing commemorations, and argue that they are less naive than has been assumed. The second aim is to offer a qualified defense of vandalizing tainted commemorations in some circumstances. This is an option that has not been adequately considered within philosophical and public discourse. I argue that such political actions can constitute a plausible way

2. Avishai Margalit, *The Ethics of Memory* (Cambridge: Harvard University Press, 2002); Jeffrey M. Blustein, *The Moral Demands of Memory* (Cambridge: Cambridge University Press, 2008); Jeffrey M. Blustein, *Forgiveness and Remembrance: Remembering Wrongdoing in Personal and Public Life* (Oxford: Oxford University Press, 2014).

3. Blustein, *Forgiveness and Remembrance*, p. 275.

of treating such commemorations, and which effectively negotiates the demands of the two opposing views. This defense comprises two parts. In Section IV, I assess the suggestions to establish counter-commemorations and to add contextualizing information, in terms of how well they satisfy the demands of the two opposing views. I argue that while these responses are not ruled out in principle, they are often beset with difficulties. In Section V, I argue that a suitably constrained vandalism of tainted commemoration can succeed in satisfying the demands of the two opposing views and in addressing these difficulties. I conclude in Section VI.

## II. COMMEMORATION

Commemorations are a way in which a community takes its past seriously. They acknowledge the importance of a certain person or event (and often the values that undergird them) for the community. They feature in the stories that the community (or at least part of it) tells about its past and how that past relates to the present identity of the community. They express its values, beliefs, ideals, and relations with other communities.<sup>4</sup> Commemorations, then, are composite—they are remembrances of certain people or events, accompanied by the expression of some evaluative view (or views). While commemorations typically valorize or celebrate important persons or events (along with the values they defended or promoted, and the ideals they aspired to), they need not be so. Commemorations may also present certain persons or events as the subject of communal lamentation or regret—as, for instance, is the case of the Vietnam Veterans Memorial Wall in Washington, DC, which somberly commemorates those who died in a war that was more tragic than triumphant. Commemorations are typically established in well-trafficked public spaces, and especially in those with significance (such as state buildings),

4. This process is complicated. Among other things, commemorations play a role in obscuring—and potentially reducing—heterogeneity in views within the community. There is, then, a question of how some come to speak for the community. For further discussions, see John E. Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton: Princeton University Press, 1994); Sanford Levinson, “They Whisper: Reflections on Flags, Monuments, and State Holidays, and the Construction of Social Meaning in a Multicultural Society,” *Chicago-Kent Law Review* 70 (1995): 1079–119; Blustein, *Forgiveness and Remembrance*; Dell Upton, *What Can and Cannot Be Said: Race, Uplift, and Monument Building in the Contemporary South* (New Haven: Yale University Press, 2015); Kirk Savage, *Standing Soldiers, Kneeling Slaves: Race, War, and Monument in Nineteenth-Century America, New Edition* (Princeton: Princeton University Press, 2018).

where they can be seen by many people, and the views they express widely promulgated.<sup>5</sup>

Commemorations can be “tainted” in different ways. Within philosophical and public debates, there is a common assumption that the problem with tainted commemorations lies in the *inappropriateness* of their *targets*. That is, persons or events have been commemorated which are not truly important to the community, or which are morally repugnant. To this, we may add that commemorations can also be tainted when appropriate targets of commemoration have been neglected. An example is illustrative. Consider, again, the Vietnam Veterans Memorial Wall. Even if we suppose that the target of this commemoration is appropriate, it nonetheless does not commemorate those who played other crucial roles during the war—such as American nurses or soldiers from allied nations, including the South Vietnamese, who fought in the war. In doing so, it may fail to express the appropriate attitude toward the contribution and sacrifice of these individuals, and may present them as though they were not important enough for commemoration.<sup>6</sup> Insofar as we think that these individuals are also appropriate targets of commemoration, neglecting them taints the existing commemoration.

Commemorations can also be tainted when the *process* of their establishment is improper.<sup>7</sup> One way this can be so is if the commemorations are established without fair consultation or deliberation. Without providing a full account of fairness, we can say, abstractly, that one necessary condition of fair consultation or deliberation is that the participants enter it as equals. Situations in which the views of some members of a community are neglected, dismissed, or suppressed during the process of determining who or what to commemorate are, typically, clear cases of unfairness. In such situations, these individuals are not regarded as equal members of the community, at least with respect to their standing as

5. In this article, I assume that what a commemoration expresses is clear and perceptible. This is a simplification. What commemorations are taken as expressing vary across time and context. How and why exactly they change is the proper subject of localized historical and social scientific scholarship, among others.

6. Charles Griswold, *Forgiveness: A Philosophical Exploration* (Cambridge University Press, 2007), p. 207; Cécile Fabre, *Cosmopolitan Peace* (Oxford, New York: Oxford University Press, 2016), pp. 290–91.

7. I have set aside two sets of complications, concerning how to determine whether the target of commemoration is appropriate, and whether individuals with repugnant views should be included in the process of commemoration.

equal participants in collective commemorative endeavors to narrate their society's past.<sup>8</sup> Another way is if the state adopts a prejudiced endorsement of different commemorators and commemorations. Even if there is fair consultation or deliberation for the establishment of existing commemorations, it is still problematic if the state allocates prominent and prestigious sites to the commemorations of only one group in the community but not to others. For instance, even if there were to be proportional numbers of commemorations of black and white Americans in a community, commemorations of white American heroes may still be considered tainted if they were the recipients of such prejudiced state endorsement.<sup>9</sup>

### III. POSITIONS

Recall that the two dominant views about the treatment of commemorations are that they should be preserved and that they should be removed. At this level of presentation, the views appear crude and are indeed often regarded as such. Little philosophical attention has been brought to bear on examining them. The aim of this section is to elaborate and clarify these views, and to show that they are less naive than has been assumed. My discussions in this section will engage with a specific and ongoing dispute about commemorations of Cecil Rhodes in the United Kingdom. Despite the narrow focus, I take it that the arguments are generalizable, with some work, to disagreements about other commemorations.

#### *III.A. Activists*

One of the activists' demands is for commemorations of Cecil Rhodes be removed. Rhodes was a British imperialist and white supremacist who served as the Prime Minister of the Cape Colony from 1890 to 1896. His government introduced laws that drove black South Africans off from their lands and disenfranchised them. These were important precursors of the apartheid in South Africa. Despite his actions, Rhodes was commemorated at various times and places, one of which takes the form of a life-sized statue at Oriel College, University of Oxford, where he was a student, and to which he donated generously.

8. Johannes Schulz, "Must Rhodes Fall? The Significance of Commemoration in the Struggle for Relations of Respect," *Journal of Political Philosophy* 27 (2019): 166–86, at p. 174.

9. See W. Fitzhugh Brundage, "Exclusion, Inclusion, and the Politics of Confederate Commemoration in the American South," *Politics, Groups, and Identities* 6 (2018): 324–30.

Activists argue that the repugnance of Rhodes' actions renders him an inappropriate target of commemoration. Additionally, the commemoration leaves out appropriate targets. Honoring *Rhodes* for his contribution and generosity obscures the fact that they were made possible through his oppression of others. It constitutes "an effacement of the histories of the millions of black Africans whose livelihoods were destroyed by Rhodes."<sup>10</sup> In some cases, it appears that activists regard the mere taint of the commemoration as giving us a good (or even conclusive) reason for removing it. This appears hasty. We can, however, bolster their demand for removal by referring to an argument they make about the payoff of removing the commemoration:

Taking down the statue would be a momentous gesture, demonstrating some commitment to rectifying and atoning the colonial past; it will be a recognition that the welfare of BME [Black and Minority Ethnic] students—for whom colonialism is a deeply painful history—truly matters.<sup>11</sup>

At first sight, it appears that the university can demonstrate its commitment in other ways besides removing the statue. For instance, the relevant information about Rhodes' actions (and the repudiation of them) could be integrated into the university curriculum—perhaps in the form of a mandatory introductory class that all students must take. Removing the statue appears to be simply one way of demonstrating such commitment, and not the only way. Because of this, some have claimed that the activists are choosing the "easy option" by focusing on statues rather than the "real" or more important issues which we need commitment to—such as the continued underrepresentation of minorities in universities and leadership roles, the entrenchment of privilege, or widening inequalities.<sup>12</sup> However, this characterization fails to explain the urgency of the activists' demand to remove the commemoration. It simply dismisses them as being mistaken about the commemoration's importance; it is uncharitable.

10. RMF Oxford, "Frequently Asked Questions," #RHODESMUSTFALL Website, 2015, <https://rmfoxford.wordpress.com/faqs/>.

11. Ibid.

12. Will Hutton, "Cecil Rhodes Was a Racist, but You Cannot Readily Expunge Him from History," *The Guardian*, December 20, 2015; Peter Scott, "Oxford Students' Fight to Topple Cecil Rhodes Statue Was the Easy Option," *The Guardian*, February 2, 2016.

We should take seriously the activists' argument that removing the statue would be a recognition that the *welfare* of minority ethnic students truly matters. Unfortunately, this claim is often characterized as a demand for "safe spaces" where they can be shielded from any offense and discomfort. For instance, the chancellor of the university urged activists to embrace debate, or to "think about being educated elsewhere." The vice-chancellor of the university said that the "cosseted" students would benefit from hearing different opinions, and that "an Oxford education is not meant to be a comfortable experience."<sup>13</sup> According to this characterization, the activists' demands are due simply to weaknesses in their characters or personalities—they are overly sensitive or fragile, and unable to cope with the challenges that constitute a rigorous education. This characterization is often used to support the dismissals of the activists' claims as unimportant.

We should resist trivializing the activists' claims in this manner. A more charitable reading is possible. Recall that the commemoration is tainted partly due to its failure to commemorate appropriate targets, or to include them in the process of commemoration. Some people (from minority ethnic groups) were, at the point of establishment of the commemoration, viewed as not important enough—both as targets of commemoration and as members of the community whose views were important to consider. Activists claim that this view about historically oppressed groups of people still undergirds how the university is run, in terms of the gross underrepresentation of members of these groups in the student and faculty bodies, and in the Eurocentric content of the university curriculum. According to activists, "the past is not in the past but is still determining existing patterns of behaviour."<sup>14</sup> Seen in this context, the commemoration of Rhodes (along with the decisions of the relevant authorities that allow the commemoration to persist) is not innocuous. It is not simply that it expresses a disrespectful view about members of certain groups but also that the view has social power, in terms of how the institution operates. If so, the view and its expression are no longer simply disrespectful, but also *threatening*—specifically, to their status as equal members of the

13. Damien Gayle and Nadia Khomami, "Cecil Rhodes Statue Row: Chris Patten Tells Students to Embrace Freedom of Thought," *The Guardian*, January 13, 2016; Camilla Tominey, "University Chief Despairs of Her 'Cosseted' Students," *Daily Express*, May 29, 2016.

14. RMF Oxford, "Frequently Asked Questions"

community, and to their self-respect.<sup>15</sup> In contrast, a disrespectful view expressed in the absence of an existing unjust social hierarchy between white and non-white people would not be similarly threatening. Insofar as self-respect is an important good and constituent of well-being, we have a reason to remove threats to them—and thus for removing the tainted commemoration.

Of course, the self-respect of members of these groups may be secured in other ways—for instance, and as suggested earlier, through modifications to the curriculum. However, the good of self-respect is secured in a diffuse way—relying for its formation and sustenance on the existence of supporting conditions in many different aspects of social life.<sup>16</sup> Even self-respect which is generally secured in many areas is threatened by the expressions and endorsement of disrespectful views in highly localized contexts. Importantly, self-respect is not fully secured for some members of a community when there are commemorations that honor or celebrate the architects of the injustice to which they are subject. Such commemorations introduce uncertainties about whether the community genuinely and fully respects and regards members of a certain group as equals. This uncertainty constitutes insecurity in the sources of their self-respect. It is in recognizing this, that we better understand the fixity of the activists' demand to remove the tainted commemoration. It is best understood as a demand to secure self-respect.

### *III.B. Preservationists*

On the other hand, the demand to preserve commemorations of Rhodes centers on the importance of historical memory.<sup>17</sup> It is generally recognized that we have some ethical or moral reasons or even duties to remember the past. These reasons or duties are variously grounded. For instance, we may have a reason for remembrance in virtue of our being

15. Schulz, "Must Rhodes Fall," p. 167.

16. Jeremy Waldron, *The Harm in Hate Speech* (Cambridge: Harvard University Press, 2012), pp. 92–96.

17. I set aside the point that the monuments may have great artistic or aesthetic value, which warrants their preservation. This is not a defense that is typically made. And as art historian Dario Gamboni observes in surveying iconoclasm since the French Revolution, the issue of the aesthetic merit of public commemorations typically does not seem to play a major role in determining whether they were targeted for removal or preservation. See Dario Gamboni, *The Destruction of Art: Iconoclasm and Vandalism Since the French Revolution* (London: Reaktion Books, 1997). I return to this issue in the concluding section.



responsible for, or having benefitted from, wrongdoings, and where the remembrance is plausibly understood as a way through which those wrongdoings are rectified.<sup>18</sup> Remembrance may also be grounded in our concern with not repeating historical wrongdoing.<sup>19</sup> It may also be grounded by our interests in sustaining our relations with others,<sup>20</sup> or in its value for individuals' lives going well, or for the civic health of a community.<sup>21</sup> Regardless of its grounds, the importance of remembrance is not generally denied.

What is at stake, however, is not simply the reasons we have to remember the past. Instead, it concerns how the reasons we have for remembrance are connected to the reasons we have for *preserving* tainted commemorations. In our context, it appears that we may remember Rhodes for all that he did, and stood for, by integrating such information and evaluations into our history textbooks. Remembrance may even succeed despite *mass removal* of material commemorations. For instance, Germany is often regarded as mostly having succeeded in remembering the Nazi atrocities even though most physical relics of the Nazi regime were removed after the Second World War. An explanation, then, is needed to bridge the gap between remembrance and preservation.

It is in this context that we should consider the claims of some preservationists. Consider, for instance, prominent classicist Mary Beard's evaluation of the Rhodes Must Fall campaign:

the campaign to eradicate Rhodes from our consciousness was in many ways a foolish enterprise, which probably did more harm to our understanding of history (and capacity to argue with it and take a different stance) than the campaigners will admit.<sup>22</sup>

This characterization of the activists appears to be implausibly exaggerated. Surely, one may think, the campaign to remove commemorations of Rhodes falls far short of *eradicating* him from our consciousness. Success

18. Fabre, *Cosmopolitan Peace*, p. 287.

19. Blustein, *The Moral Demands of Memory*, p. 35; Blustein, *Forgiveness and Remembrance*, p. 268; Fabre, *Cosmopolitan Peace*, pp. 299–300. Fabre's discussion concerns war remembrance but may be extended to remembrance more generally.

20. Margalit, *The Ethics of Memory*, pp. 7–8.

21. Blustein, *The Moral Demands of Memory*, p. 2.

22. Mary Beard, "Cecil Rhodes and Oriel College, Oxford," *The Times Literary Supplement*, 2015, <https://www.the-tls.co.uk/cecil-rhodes-and-oriel-college-oxford/>.

in the former neither constitutes, nor necessarily leads to, the latter. We may be tempted, on this basis, to dismiss Beard's characterization. Yet this characterization appears with some frequency. Historian David Cannadine presents such campaigns as attempting to *obliterate* painful and offensive figures from the historical record.<sup>23</sup> Will Hutton, the principal of Hertford College, Oxford, cautions against *expunging* Rhodes from history.<sup>24</sup> Historian R. W. Johnson describes the campaign as *erasing* history in a way similar to the iconoclasm of Al Qaeda and Islamic State.<sup>25</sup> Historian Roy Strong describes the campaign as attempting to *rewrite* history.<sup>26</sup> And so on.

I do not want to explain these statements as *simply* due to reasoning errors, to failures to understand activists' claims or take them seriously, or even to ulterior motivations masquerading as a neutral concern with history.<sup>27</sup> Instead, I suggest that we understand these statements as being undergirded by two requirements concerning our dealings with the past—it must be *public* and *incorporated*. Elaborating these requirements clarifies the character of preservationists' opposition to activists' demand to remove tainted commemorations, and shows why their position could be a plausible response to such commemorations.

According to the publicity requirement, we must reckon with our past in a public manner rather than concealing it. An example of such concealment would be if the commemoration is removed and no longer seen or thought about by members of the public. When there is no longer any interaction with the tainted commemoration, it becomes sensible to say that the memory of the commemoration has been erased from *public* consciousness. The publicity requirement sets a moderate constraint on our treatment of tainted commemorations. While it prevents us from destroying commemorations or keeping them in permanent storage, it

23. David Cannadine, "Introduction," in *Dethroning Historical Reputations: Universities, Museums and the Commemoration of Benefactors*, eds. Jill Pellew and Lawrence Goldman (London: Institute of Historical Research, 2018), pp. 1–14.

24. Hutton, "Cecil Rhodes Was a Racist, but You Cannot Readily Expunge Him from History."

25. Javier Espinoza, "'Rhodesgate': Campaign to Remove Rhodes Statue 'Is like Isil's Destruction of Antiques', Says Oxford Don," *Daily Telegraph*, December 22, 2015.

26. Laura Freeman, "Everywhere Sir Roy Strong Looks, the Thumbscrews Are Tightening," *The Sunday Times*, September 3, 2017.

27. For discussions of how white supremacists cloaked their defenses of the Confederacy in seemingly neutral appeals to the historical importance of preserving Confederate commemorations, see Savage, *Standing Soldiers, Kneeling Slaves*, p. ix; Upton, *What Can and Cannot Be Said*, p. 49.

allows us to *move* them to other public locations—including museums. In some circumstances, doing so may address the problems arising from their occupying (under the auspices of the authorities) a prominent or prestigious public location relative to other commemorations. The preservationists cited, however, do not entertain the possibility of relocating commemorations to museums. Their reluctance derives, I suggest, from a second requirement.

According to the incorporation requirement, events, persons, and actions of historical significance should be incorporated into our everyday consciousness and understanding of our history and identities. An example illustrates the point. Ordinary British citizens are likely able to recount—though perhaps only in general terms—the contribution of the soldiers (who fought in the World Wars) to their society. There is a general consciousness and understanding of how the world they have inherited has been shaped by the actions (especially sacrifice) of these individuals. This is supported by various sources. While education in schools is important, the annual Remembrance Day and the existence of many war commemorations (including the naming of streets) dotting the landscape are also critical—they provide occasions for, and moreover facilitate, citizens' remembrance. These commemorations “allow a certain vision of the past to be incorporated into the everyday settings and activities of the city.”<sup>28</sup> There is also a general appreciation (and often endorsement) of the values—especially courage or loyalty—that undergirded or guided the soldiers' actions. These are understood as values that the community—including individuals themselves—deems important and worthy of celebration. In this case, we may say of these events, persons, and actions that they are incorporated into individuals' everyday consciousness and understanding of their history and identities.<sup>29</sup>

With this, we may identify two related considerations against relocating commemorations to museums. First, moving them to museums—which are spaces that individuals have to make a conscious effort to enter—eliminates an everyday occasion for remembrance. Individuals no longer

28. Owen J. Dwyer and Derek H. Alderman, *Civil Rights Memorials and the Geography of Memory* (Chicago: The Center for American Places at Columbia College Chicago, 2008), pp. 8–10. While Dwyer and Alderman's claim concerns civil rights memorials, it is applicable to the case I am discussing.

29. Blustein, *The Moral Demands of Memory*, pp. 184–87; Blustein, *Forgiveness and Remembrance*, pp. 178–285.

confront or interact with the events, persons, or actions being commemorated in their everyday activities. Second, moving commemorations to museums may obscure the fact that at some point the values that undergirded the targets of commemoration were regarded by members of *their* community as important and worthy of celebration. The underlying worry, then, is that moving commemorations to museums may be accompanied by a diminution of the significance of the targets of commemoration in people's everyday consciousness and understanding, eventually resulting in individuals forgetting them. These considerations bridge the gap, identified earlier, between reasons for remembrance and preservation. They show how our interests in remembrance are supported by preserving tainted commemorations, and potentially frustrated by their relocation or removal.

A reconstruction of what could be the preservationists' ideal scenario illustrates how the worry plays out in the context of the commemoration of Rhodes. Rhodes' actions, and the values that undergirded them, should ideally be part of the everyday consciousness and understanding of members of the community, of their own history and identities. They should be able to recount—even if only in general terms—how Rhodes' actions have influenced their society, and how the actions of ordinary people during his time contributed to his projects. There should also be a general understanding of the fact that ordinary people of Rhodes' time shared the values that undergirded his actions. Not only did they not regard those actions (or their own contributions to them) as abhorrent, they regarded them as worthy of celebration. Finally, there should be various occasions for people to remember those actions.

When citizens' everyday consciousness and understanding are constituted this way, they cannot (and do not) turn away from the fact that they have inherited a world that has been shaped by the injustices caused by their forebears. This increase in the accuracy of historical understanding may facilitate citizens' owning up to the negative aspects of what they have inherited.<sup>30</sup> Additionally, citizens recognize that responsibility for or complicity in injustice is not something that only those with deformed characters or states-of-mind—"moral monsters," as it were—engage in. Instead, people can cause injustice by engaging in ordinary or even

30. Erich Hatala Matthes, "Who Owns Up to the Past? Heritage and Historical Injustice," *Journal of the American Philosophical Association* 4 (2018): 87-104.

socially valorized activities. Those who caused injustice may also have, as with Rhodes, made other morally valuable contributions to society. This may prompt further reflections about whether these citizens themselves are, here and now, behaving in ways that sustain injustice. In this ideal scenario, the commemorations serve as constant and everyday reminders for people to engage in such reflections, to remain vigilant, and to do better.<sup>31</sup>

When presented thus, we see what the preservationists regard as being at stake with relocating the commemoration to a museum. It risks the loss of historical accuracy, the denial of responsibility, and the opportunity to do better. The preservationists appear to have taken the incorporation requirement as ruling out the reduction of everyday occasions for remembrance, or against introducing obstacles to it more generally.

In sum, it is in light of the two requirements that we better understand the seemingly exaggerated claims of the preservationists. They are best understood as being undergirded by a deeper concern with and demand concerning how we engage with the past, and how such engagements are affected by our treatment of commemorations.

### *III.C. Strategy*

It is a common assumption (especially in public debates) that the opposing views—in virtue of the fixity of their demands—are naive. This assumption is often accompanied by unarticulated refusals to take the views seriously, or refusals to articulate their possible grounds. As we have seen, however, these views are not naive. Instead, their demands are grounded by deeper concerns. Activists seek to secure self-respect by removing the threats to them posed by tainted commemorations. Preservationists seek to secure public engagement with the past which is incorporated into people's everyday consciousness and understanding. Clearly setting out the grounds of their demands may help both sides better understand their opponents and resist the temptation to dismiss them. It also allows us to take a step forward in resolving their disagreement.

Indeed, even with the brief discussion, we see more clearly that there are many possible ways of tackling the disagreement. For instance, we may attempt to directly address the arguments made by proponents of

31. Beard, "Cecil Rhodes and Oriel College, Oxford"; Hutton, "Cecil Rhodes Was a Racist, but You Cannot Readily Expunge Him from History"; Cannadine, "Introduction," p. 7.

either view, to qualify or constrain their demands. In response to activists, we may challenge their accounts of when self-respect is genuinely threatened, of the significance of removing tainted commemoration, or of the duties of states or corporate entities to address such threats. In response to preservationists, we may challenge the relationship between preservation and remembrance, or the stringency with which the publicity and incorporation requirements have been construed. These may reveal the existence of options other (or better) than those which are proposed by the parties.

I do not rule out these options (or others which I have not considered) in principle, nor do I take a stand on their plausibility. Instead, I begin from the observation that proponents of the two opposing views have each grounded their arguments in *something of value*—self-respect and remembrance. These values are distinct and not always reducible to each other. My aim, then, is to identify and defend a response to tainted commemorations that would be acceptable, in principle, to adherents of both views. Such a response would have to satisfy two desiderata—it must remove the threat to the self-respect of some members of the community, while not reducing everyday occasions for remembrance. If successful, this response would protect *both* things of value.

This strategy may also be supported by a weaker pragmatic consideration. Disagreements about what to do with the relics of an unpalatable past have arisen in different times and contexts. These disagreements are often similarly configured—between those who seek to remove those relics and those who seek to preserve them.<sup>32</sup> This gives us some reason to think that the two positions are tracking a stable divide in people's attitudes and priorities, such that the disagreements are unlikely to go away anytime soon. If so, and given that both sides are on to something of value, we might as well try a different approach to the disagreement—by attempting to locate a “middle” position that adherents of both views can find acceptable.

Briefly considering a recent attempt to tackle the disagreement between adherents of both views clarifies my strategy. In support of the claims of activists, Johannes Schulz argues that insofar as tainted commemorations may constitute the wrongs of degrading or alienating members of formerly

32. Gamboni, *The Destruction of Art*; Upton, *What Can and Cannot Be Said*; Savage, *Standing Soldiers, Kneeling Slaves*.

oppressed groups, removing them can be a legitimate response to tainted commemorations, to secure their self-respect.<sup>33</sup> He recognizes, however, that depending on the specific socio-historical context in which the tainted commemoration is embedded, the demand to preserve it may also be a legitimate response.<sup>34</sup> How should we decide between these legitimate but opposing responses? According to Schulz, “the most appropriate way of dealing with a tainted commemoration is the one most likely to further the establishment of relations of respect” between members of formerly oppressive and oppressed groups, and thus also self-respect.<sup>35</sup> That is, he adopts a narrower view of the concern with historical engagement that has been presented—it has to be in the service of the aim of securing respect. On this characterization, those concerns about historical engagement which do not serve this aim appear to be set aside as illegitimate, at least concerning the treatment of tainted commemorations. On Schulz’s account, there would be no fundamental disagreement between the two opposing views, only a disagreement about which response best secures a common aim to which they are *both* committed. The seemingly intractable disagreement we began with is dissolved. All that remains is for us to identify which response to tainted commemorations would best further relations of respect.

In contrast, my view does not rely on the characterization that the concern with history is (or should be) fundamentally the concern with securing self-respect, such that there is no fundamental disagreement between the two opposing views. Instead, I take the disagreement as it is. As earlier indicated, there are valuable goals furthered by both views which are distinct and not always reducible to each other. Though I will not argue for it here, I suspect that Schulz’s characterization is likely to be regarded by preservationists as loading the die in favor of activists who seek to secure self-respect, and at the expense of remembrance.

#### IV. SUGGESTIONS

In this section, I evaluate two suggestions for how we should respond to tainted commemorations—installing counter-commemorations near tainted commemorations and adding contextualizing information to them.

33. Schulz, “Must Rhodes Fall,” pp. 180–83.

34. *Ibid.*, p. 179.

35. *Ibid.*, p. 177.

My discussions will again center on specific cases—the commemoration of Confederate soldiers and of white supremacists. The aim of this section is to consider how well these suggestions fare in addressing the demands of the two opposing views. Showing that the suggestions often do not fare well constitutes the first part of the defense of vandalizing tainted commemorations.

#### *IV.A. Counter-commemorations*

One suggestion that is often mentioned, and sometimes enacted, is to establish counter-commemorations near the tainted commemoration. Consider, for instance, the Silent Sam Confederate Statue on the University of North Carolina at Chapel Hill's campus. The statue commemorates the students of the University who fought for the Confederacy as soldiers during the American Civil War. At its unveiling in 1913, a speech was given which praised the soldiers for "their courage and steadfastness [which] saved the very life of the Anglo Saxon race in the South," and for contributing to the consequence that "the purest strain of the Anglo Saxon is to be found in the 13 Southern States."<sup>36</sup> The commemoration was subject to sustained protest by those who rejected the views it expressed, and subject to calls for removal. Analogous to the controversies surrounding commemorations of Rhodes, the preservation of the Silent Sam statue was also vigorously defended by those concerned with the accuracy of historical representation. Amidst these disagreements, a counter-commemoration—the *Unsung Founders* memorial—was established, in 2005, at some distance from the Silent Sam statue, in the same park. The counter-commemoration was dedicated to the contributions of people of color (many of whom were slaves) to the community.

We can quickly take stock of what such a counter-commemoration achieves. First, it brings to the surface the existence of views other than those expressed by the initial commemoration. In doing so, it acknowledges the heterogeneity of evaluative perspectives among members of that community about who or what is important enough to commemorate. The views undergirding the Silent Sam statue are not the only ones on offer in the community. More concretely, it addresses the neglect of

36. Julian Carr, "Unveiling of Confederate Monument at University," in *Julian Shakespeare Carr Papers #141* (Chapel Hill, NC: Southern Historical Collection, The Wilson Library, University of North Carolina at Chapel Hill, 1913), scans 93–112.



appropriate targets of commemoration. Second, it appears to mitigate the inequality in the standing of historically oppressed members of that community to speak publicly about their views, as equals within that community. The people who initiated the commemoration, and the authorities who endorsed it, did not regard black Americans as equal members of the community, at least concerning decisions about who and how to publicly commemorate. In contrast, the establishment of the counter-commemoration expresses the view that nonwhite Americans now possess equal standing as members of that community. Third, its endorsement by the university authorities, as evidenced by the latter providing some financial support for it and allowing its establishment, signifies that the expression of this updated view is similarly endorsed. This appears to address uncertainties and insecurities about whether the community genuinely and fully respects and regards nonwhite Americans as equals. Fourth, the establishment of the counter-commemoration opens up the possibility that it may contribute to shaping the views of members of the community, away from the racist views expressed by the Silent Sam statue.

The establishment of the counter-commemoration leaves the tainted commemoration untouched; instead, the former works around latter. This satisfies the preservationist desideratum. However, it does not appear to satisfy the self-respect desideratum. Here, two sociological observations are salient. First, the establishment of the counter-commemoration in 2005 did little to stem the protests against the tainted commemoration. Indeed, the protests continued and culminated in the purportedly illegal toppling and removal of the Silent Sam statue in 2018. For the protestors who toppled the statue, establishing the counter-commemoration did not appear to address their complaints about the tainted commemoration. Second, this situation is not peculiar to the dispute about the Silent Sam statue, but generalized to other commemorations. Historian Dell Upton observes that the establishment of counter-commemorations does not typically cancel out or repudiate the messages of tainted white supremacist commemorations. Instead, their existence merely facilitates the development of a convoluted ideology of “dual heritage,” according to which black and white Americans simply took different, but equally honorable paths to their current status as equal members of the community.<sup>37</sup>

37. Upton, *What Can and Cannot Be Said*, p. 15.

The sociological observations, however, take us only so far. Some explanation is needed for why counter-commemorations may not typically succeed in addressing the problems with tainted commemorations. This, I suggest, is due to features of the relationship between the tainted commemoration and counter-commemoration. One aspect of this relationship is the distance between them. If the two commemorations are far apart, they may be viewed in isolation from each other (if one is even viewed at all). If so, the work that the counter-commemorations seeks to do would be obviated. A related aspect is the prominence of the counter-commemoration relative to the original. If a counter-commemoration is not prominently displayed, it may be missed even if it were established near the tainted commemoration. One aspect of prominence concerns the prestige of the positions they occupy. A counter-commemoration that occupies a less prestigious position relative to the tainted commemoration may not be regarded as constituting much of a repudiation of its message.

In the context of Chapel Hill, the Silent Sam statue stood at the intersection of several paths, at what has been described as the front door of the university and a position of honor. In contrast, the Unsung Founders memorial was established in the green space marked off by two paths some distance away. The counter-commemoration is also significantly shorter in height and less imposing than the former, which was raised on a pedestal. The counter-commemoration does not fully tackle the process-related taint of commemoration, to do with the original commemoration occupying a more prominent or prestigious site relative to the counter-commemoration. Of course, there are reasons—inter alia, to do with space management, traffic control, or aesthetic presentation—not to establish a counter-commemoration of the same size directly beside the tainted commemoration, even though doing so would ensure that the two commemorations are never seen in isolation from each other and are regarded as occupying the same position of prominence. However, not doing so preserves the differences between the two commemorations and diminishes the work of the counter-commemoration.

There is a further issue of the view expressed by the counter-commemoration. Typically, counter-commemorations simply indicate that there is a heterogeneity of views about who is an appropriate recipient of honor within the community, and that some (historically oppressed) members are worthy of commemoration or have the standing to speak for the community. However, such messages do not actually *repudiate* the taint

arising from the commemoration of inappropriate targets. Consider the Unsung Founders Memorial. It succeeds in indicating the heterogeneity of views within the community about who is deserving of commemoration and who may commemorate them. However, it does not actually repudiate the commemoration of Confederate soldiers. That is, it leaves unaddressed the fact that they (and their actions) are inappropriate targets of commemoration. The expressions and social power of the tainted commemoration are regarded as being left untouched and possibly even endorsed by the authorities. If so, the counter-commemoration does not remove the threat posed by the tainted commemoration to the self-respect of some members of the community. And since *that* was the root of protesters' complaint, it is clear why establishing the counter-commemoration was not regarded as addressing their complaints. The absence of repudiation also explains how something like the "dual heritage" view could have developed in the first place. For the counter-commemoration to address their complaints, and to contribute to blocking the development of the "dual heritage" view, it would have to engage in repudiation. While we may have reasons not to establish repudiative counter-commemorations, we must note the cost of not doing so, in terms of their effectiveness at satisfying the self-respect desideratum.

We have identified the three worries about the Unsung Founders counter-commemoration. They concern the distance between the counter-commemoration and the tainted commemoration, the differences in the relative prominence or prestige of the locations they occupy, and that it does not repudiate the view that Confederate soldiers are inappropriate targets of commemoration. These worries generalize. In practice, it is often not possible to establish counter-commemorations in ways that mitigate these worries. This is because tainted commemorations are usually established in locations of prominence or prestige, and counter-commemorations, when established, are usually located some distance away. It is also unclear how counter-commemorations could express the repudiation that an individual or event is an *inappropriate* target of commemoration. Of course, this is not to say that establishing counter-commemorations cannot, *in principle*, satisfy the self-respect desideratum, and thus constitute a response to tainted commemorations that successfully adjudicates the demands of the two opposing views. I leave open the possibility that in some circumstances, establishing counter-commemorations may succeed in just this way.

#### IV.B. Contextualization

The addition of contextualizing information to tainted commemorations appears to be more promising, in virtue of its potential to directly address and repudiate the views expressed by a tainted commemoration. It clearly meets the preservationist desideratum and promises to do better than counter-commemorations in satisfying the self-respect desideratum. Consider, for instance, the Battle of Liberty Place Monument, a roughly 10-m tall white obelisk located in New Orleans, Louisiana.<sup>38</sup> It was established in 1891 to commemorate the violent overthrow, in 1874, of the democratically elected government of Louisiana composed of an alliance of white and black Americans (the latter who were newly enfranchised), by members of the White League, a white-supremacist terrorist organization. While the elected government was reinstated by federal troops, the event was nonetheless regarded as a significant achievement by white supremacists. The commemoration lists the names of those members of the White League who died in the conflict, and the names of their leaders. In 1974, the local government added a contextualizing plaque describing the battle as an insurrection and stating, bluntly, "Although the 'battle of Liberty Place' and this monument are important parts of the New Orleans history, the sentiments in favor of white supremacy expressed thereon are contrary to the philosophy and beliefs of present-day New Orleans." The contextualizing plaque also listed the names of the defending forces who died during the conflict.

In this case, the addition of the contextualizing plaque, unlike the establishment of counter-commemoration, appears to directly respond to the target-based taint of the initial commemoration. It describes the actions of the White League as illegitimate and rejects the white supremacist views which undergirded their actions. Moreover, it indicates as worthy of commemoration those who died defending against the insurrection. The addition of the contextualizing plaque, however, did not stop the calls for the commemoration's removal. Eventually, the commemoration was removed by the local government and moved out of public view into

38. For a more extensive reconstruction of the history of this commemoration, see Lawrence Powell, "Reinventing Tradition: Liberty Place, Historical Memory, and Silk-Stocking Vigilantism in New Orleans Politics," *Slavery & Abolition* 20 (1999): 127-49; Jacob A. Wagner, *The Myth of Liberty Place: Race and Public Memory in New Orleans, 1874-1993* (New Orleans: University of New Orleans, 2004).

storage. Of course, this action was subject to criticisms by adherents of the preservationist view.

The following observations partly explain why the addition of the contextualizing plaque was regarded as failing to secure self-respect. First, it falls short of stating that the event and the members of the White League should *not* have been commemorated. While the plaque repudiates the commitment to white supremacy, it does not explicitly state that the members of the White League are *inappropriate* targets of commemoration. Despite the local authorities' public statement—expressed through the contextualizing plaque—distancing themselves from the views of white supremacists, it remains that white supremacists and their deeds are still publicly honored. This undermines the certainty, among some members of the community, that the community genuinely and fully respects them as equals. In this way, the plaque does not fully address the threat posed by the commemoration.<sup>39</sup> Second, the plaque leaves out the local authorities' complicity in allowing the commemoration to be established in the first place, and in such a prominent location. The omission raises worries about the hypocrisy of the authorities; specifically, their calling out a situation as problematic, but without admitting their contribution to it. In contrast, the addition of such information—which has the character of an apology—would convey their sincerity. This would further secure the self-respect of members of formerly oppressed groups. They are people who—like others within the community—are owed (and can demand) sincere public apologies when they are wronged.<sup>40</sup>

Of course, the failures of the contextualizing plaque in this case need not generalize. It is possible to have more fully-repudiative contextualization. The more explicitly repudiative they are, the more securely they would satisfy the self-respect desideratum. However, two difficulties now emerge. The first concerns the accessibility of contextualizing plaques relative to tainted commemorations. The more fully contextualizing the

39. The same analysis applies to a contextualizing plaque that was later added, which honors "Americans on *both* sides who died in the Battle of Liberty Place" (my emphasis).

40. David Wasserman gestures to, but does not elaborate on, the worry about hypocrisy. See David Wasserman, "Commemoration and Disavowal," *Philosophy and Public Policy Quarterly* 16 (1996): at pp. 12–13. For further discussions on public apologies, see Nick Smith, *I Was Wrong: The Meanings of Apologies* (Cambridge: Cambridge University Press, 2008); Edwin L. Battistella, *Sorry About That: The Language of Public Apology* (Oxford: Oxford University Press, 2014).

plaques are, the lengthier and more inaccessible they will be. As is often recognized, it takes much more work to repudiate hateful or disrespectful speech, than to make it. This worry is more pronounced when it comes to commemorations. Commemorations present their information in a primarily visual format, whereas contextualizing plaques do so in a primarily textual format. These differences in accessibility will affect the effectiveness of the contextualization in addressing the tainted commemoration.

The second observation concerns the inclusion of appropriate targets of commemoration. In the case of the Battle of Liberty Place Monument, the addition of the contextualizing plaque transforms the tainted commemoration into one which *also includes* those who died defending the elected government. This is due to the non-depictional character of the commemoration. An obelisk is more amenable to such transformation than commemorations which are depictional in character. For instance, the addition of a fully contextualizing and repudiative plaque to a statue of Rhodes would not, in virtue of such an addition, transform it into a commemoration that *also includes* his victims. If so, the worry that arises from the neglect of appropriate targets of commemoration persists. This is an issue of the fit between the visual presentation of the commemoration and its target. It is in this respect that the addition of contextualizing plaques fares less well—compared to counter-commemorations—at remediating the neglect of appropriate targets of commemoration.

The addition of contextualizing plaques also does not address two worries that beset counter-commemorations—concerning their presentation relative to tainted commemorations. First, contextualizing plaques are comparatively much smaller than the tainted commemorations whose views they seek to repudiate. The smaller these plaques, the more easily they will be missed by people who interact with, or merely pass by, the tainted commemorations. They will also not be seen when the tainted commemorations are viewed from a distance. Second, while contextualizing plaques occupy the same location as the tainted commemorations, they are, due to their relative size, comparatively less prominent. While there are reasons not to add contextualizing plaques that are comparable in size and prominence directly beside the tainted commemorations, not doing so risks diminishing the work that they seek to do.

Again, the discussions here do not conclude that the addition of contextualizing plaques cannot, in principle, satisfy the self-respect desideratum.

However, and as with the previous section, we have reason to suspect that the difficulties besetting it are not easily or typically resolved.

We have seen that while the establishment of counter-commemorations and the addition of contextualizing plaques are not *in principle* ruled out as responses to tainted commemorations which can satisfy both the self-respect and preservationist desiderata, they are beset with difficulties that frustrate their ability to do so. I leave open the possibility that extending or even combining the suggestions that I have discussed in this section could work well in adjudicating the opposing demands of the two dominant views. What I wish to do, however, is to consider a different response to tainted commemorations which can satisfy both desiderata, but which has not been adequately discussed.

#### V. VANDALISM

It is noteworthy that a very common response by activists to what they regard as tainted commemorations is to engage in vandalism. Most of the commemorations discussed in this essay have been subject to vandalism. In this section, I argue that vandalizing tainted commemorations (which includes inflicting damages on them short of destruction) can constitute a plausible response to tainted commemorations. It may satisfy both desiderata and avoid the difficulties besetting the earlier responses. This discussion constitutes the second part of my qualified defense of vandalizing tainted commemorations.

We begin by considering the payoffs of vandalism. First, the vandalism of a tainted commemoration immediately indicates a heterogeneity of views, at least in the minimal sense that not everyone agrees with the appropriateness of the target of commemoration. This may be secured even with non-textual and seemingly inarticulate vandalism. For instance, activists often splash red paint (signifying blood) on tainted commemorations to convey—often effectively—that the target of commemoration was responsible for or involved in injustice or the loss of lives. In a recent case, the splashing of red paint at the base of the Equestrian Statue of Theodore Roosevelt in New York effectively conveyed such a message, even though the more specific protest against his responsibility for and involvement in white supremacy and settler colonialism may not have been immediately

clear to everyone.<sup>41</sup> Second, and depending on the content of the vandalism, it can directly repudiate the views of the tainted commemoration. For instance, painting the word “racist” on the Silent Sam statue conveys that the target of commemoration is inappropriate. That is, vandalism avoids a common problem facing counter-commemorations, pertaining to its allowing room for the development of distorted ideologies such as the “dual heritage” view. Third, since the vandalism is on the tainted commemoration itself, the possibility is ruled out of viewing the commemoration in isolation from the vandalism. Fourth, vandalism is often prominent and attention-grabbing, and enacted in such a way that they can be viewed even from afar. Fifth, vandalism is also more accessible compared to the establishment of contextualizing plaques, insofar as the message is presented simply. Finally, in expressing their views in a way that violates laws or norms, activists can also convey their rejection of the authorities and processes leading up to the establishment of the tainted commemoration.

Importantly, vandalism can transform a tainted commemoration from a public honoring of an inappropriate target, into a public repudiation of its being an appropriate target or even into a public humiliation of the target (as in the case of smearing feces on Rhodes’ commemoration). In such a transformation, the threat to the self-respect of some members within the community, which is posed by a public honoring of an inappropriate target, is mitigated. That is, it satisfies the self-respect desideratum. It also satisfies the preservationist desideratum. Indeed, in order for vandalism to be successful, it *has to* preserve the tainted commemoration (or at least enough of it). If activists destroy an entire commemoration, or obscure it entirely, the message that they seek to convey faces the risk of being lost over time. In this way, the preservation of the statue (or at least enough of it) is a requirement *internal* to the act of vandalism.

Vandalism, however, has a bad reputation. First, it is commonly understood as an action falling within the exclusive purview of the brutish or barbaric. That is, they are actions by individuals who are ignorant about the value of that which they vandalize or ignorant about the meaning of their vandalism,<sup>42</sup> or by antisocial individuals who simply do not care about the values that a community holds. Typically, it is regarded as

41. Colin Moynihan, “Protesters Deface Roosevelt Statue Outside Natural History Museum,” *The New York Times*, October 26, 2017. See also Lesley Oelsner, “Six Indians Accused of Defacing Theodore Roosevelt Statue Here,” *The New York Times*, June 15, 1971.

42. Gamboni, *The Destruction of Art*, p. 19.



sufficient to dismiss an action—and any political message it may be attempting to convey—by describing it as vandalism. Second, insofar as vandals typically carry out their vandalism when few people (if any) are around, and moreover typically do not reveal their identities, they are often regarded as being cowardly—hiding in the shadows rather than facing the public. Third, vandals often act alone, and may not be representative of the community. A common criticism of vandalism is that they are not done by representative members of the community—instead, vandals are deviants, on the margins of the community. Finally, vandalism is illegal in most jurisdictions. We may take these considerations as giving rise to four presumptions against vandalism.

The first two presumptions against vandalism may be counteracted if vandalism is carried out in line with a principle of communicativeness.<sup>43</sup> In our context, the principle of communicativeness imposes two requirements.<sup>44</sup> It requires, first, that the act of disobedience conveys a message directed at the tainted commemoration. This is especially pertinent in the case of vandalism. Some acts of vandalism are not communicative (or if they are so, it is not clear what they communicate). For instance, “tagging,” a form of graffiti consisting simply of a personalized word referencing a person or a group, may not be communicative in the sense of conveying any political message directed at the tainted commemoration. Ideally, the vandalism clearly conveys the message directed at the disrespectful view expressed by the tainted commemoration. For instance, the vandalism of the Silent Sam statue through a graffiti stating, simply, “racist,” is communicative in this sense. This is connected to one of the aims of addressing tainted commemorations, which is to repudiate its views. When vandalism is communicative in this sense, it overcomes the presumption against doing so arising from the worry that vandals are brutish or barbaric. While this is an ostensibly low bar, it nonetheless imposes some minimal constraints on activists’ actions.

The second requirement is that the act needs to be non-evasive. The vandal should be willing to articulate her commitments and reasons for her actions to others within her community. In practical terms, it means

43. Kimberley Brownlee provides an elaborate defense of the requirement of communicativeness. In this article, I assume that this requirement is generally plausible. I clarify its grounds and qualify its scope elsewhere. Kimberley Brownlee, *Conscience and Conviction: The Case for Civil Disobedience* (Oxford: Oxford University Press, 2012).

44. I note, also, that these requirements are defeasible.

that activists must take public responsibility for their acts of vandalism, in the sense of admitting to their vandalism.<sup>45</sup> When acts of vandalism are communicative in this sense, they also mitigate the intuitive judgment among members of the community that the vandals are of poor character. They are not cowardly. Their vandalism is neither motivated by ignorance nor antisociality. It is not ignorant because it requires as part of its motivating conditions an understanding of what the tainted commemoration is about, or even how it came to be established as a commemoration. It is not antisocial because it is motivated by a concern for the values that the community shares or aspires to. Satisfying this requirement contributes to mitigating the negative evaluation of vandalism. Additionally, it allows the activists a chance to clarify the motivations behind their political act and to dispel misunderstandings about what the act means. This overcomes the presumption against vandalism arising from its typical evasiveness.

The third presumption against vandalism concerns its purportedly non-representative character. While the claim is overused that the vandals (and their views) are not representative of the community, it nonetheless tracks a genuine worry. Suppose that a lone activist vandalizes a commemoration which she regards as tainted. She may genuinely be a marginal character with views that are not representative of the community as a whole, or even of a subset of it which includes the members of formerly oppressed groups. If so, there is a question of how the act of vandalism mitigates the threat to the self-respect of members of those groups. That is, a singular act by a nonrepresentative individual does not mitigate the uncertainties about and insecurities in the sources of these members' self-respect, concerning whether the community genuinely respects them as equals.

One way in which the worry may be mitigated, is if the vandal receives support from other activists and organizations that are representative of at least those members of oppressed groups whose self-respect are at stake. This may be in the form of public statements, released before or after the fact of vandalism, in support of the message that the act conveys, and perhaps to lament the regrettable state of affairs (in which other strategies and attempts to address the tainted commemoration have failed) which

45. I set aside the issue of whether vandals must submit themselves to punishment. Whether they do so is a separate issue from the efficacy of their act in meeting the demands of the two opposing views.

has made such a drastic action necessary. When these statements are made public, the question about the representativeness of the vandals' views would be answered in the positive. Ideally, the vandal should consult with these individuals and groups before her action, both to confirm that her views are indeed shared by them and so as to avoid springing an unpleasant and perhaps unwanted responsibility upon them to respond. The act of vandalism, when accompanied by these public statements, responds to the threat to self-respect. Of course, this may often not be enough—other individuals, groups, and even the relevant authorities will also have to respond if the uncertainties and insecurities are to be securely mitigated. This can be done by their also stating publicly their support for the repudiative message of the vandalism.

The uncertainties and insecurities may be further mitigated if the local authorities permit the tainted commemoration to stay vandalized, rather than attempt to restore it to its original state. While granting such permission appears to be the prerogative of the authorities, it could also be the conclusion of a consultative process with members of the community. Permitting vandalized commemorations to stay vandalized also addresses the following worry. If the vandalized commemoration is restored to its original state, the accompanying public statements are likely to be forgotten over time. Moreover, public statements are, on their own, susceptible to the difficulties besetting the earlier responses to tainted commemorations. Once the vandalized commemoration is restored, people can interact with it in isolation from the statement; the tainted commemoration is also more prominent and accessible than the statement. Since we have reason to think that these worries render the earlier responses unable to securely satisfy the self-respect desideratum, we have reason to think that restoring vandalized commemorations would have the same impact. Allowing the tainted commemoration to stay vandalized would mitigate these worries—it would allow the statements to be continually sent, and in an accessible manner, to anyone who interacts with the commemoration. It would be even better if the authorities protected the vandalized commemoration from private efforts (especially by groups comprising individuals belonging to groups of former oppressors) to restore its appearance.

It may be thought that it is to ask too much of the relevant authorities that they permit vandalized commemorations to stay vandalized. However, what they are asked to do is not categorically different from what they are asked to do when it comes to the establishment of counter-

commemorations or the addition of contextualizing plaques. That is, the request is for them *to be participants* in the endeavor to secure the self-respect of members of formerly oppressed groups. Indeed, none of the previous responses could work without the participation of the relevant authorities, in the minimal sense of allowing them to be carried out. This becomes clearer once we see that the earlier responses also have “guerilla” counterparts—activists may also establish counter-commemorations and add contextualizing plaques without approval—to which the authorities may respond differently. A brief comparison of two cases illustrates the point. In 2015, anonymous artists installed a bust of the whistle-blower Edward Snowden in a Brooklyn park, in order to commemorate his work and those of other whistle-blowers. The bust was quickly removed by the local authorities.<sup>46</sup> In contrast, in 2016 activists established two commemorations of conscientious objectors in Wellington, New Zealand, to protest both their treatment at the hands of the government during the Second World War, and the glorification of war. While the commemorations were installed without the approval of the authorities, the latter nonetheless responded favorably, stating that they would not rush to remove the sculptures. One of the sculptures was left in place for a week, after which it was moved to a museum.<sup>47</sup> We see, then, that the requirement that authorities need to participate in order for vandalism to be an effective response to tainted commemoration is not one which is unique to vandalism.

The final presumption against vandalism concerns its illegality. It is important to note that vandalism *need not* be illegal. The possibility is open that the authorities could invite representative members of formerly oppressed groups to vandalize the tainted commemorations. While this raises worries about the co-option of a form of resistance, the vandalized commemoration and the participation of the authorities would still be effective as a response which secures self-respect. Of course, such offers are generally rare, and we need to take seriously the conditions in which

46. Alan Yuhas, “Edward Snowden Statue Prompts Cover-Up at Brooklyn Park,” *The Guardian*, April 6, 2015.

47. Tom Hunt, “Conscientious Objector Archie Baxter Remembered in Guerrilla Sculpture,” *Stuff.co.nz*, April 26, 2016; Rob Garrett, “Temporary Inspires Permanent,” *Forecast Public Art*, 2018, accessed September 30, 2019, <https://forecastpublicart.org/temporary-inspires-permanent/>.

the presumption against vandalism which centers on its illegality may be lifted.

This presumption follows from a more general presumption against breaking the law. However, it is not always overriding. There are many situations in which individuals can permissibly break the law or even have a duty to do so.<sup>48</sup> A common defense for disobedience is that it is the *last resort* available to activists for securing their aims. This is not to be construed narrowly. As Rawls observes, activists can always try to engage legally again, even if they have no reasonable chance of success. The existence of such options that are reasonably thought to be fruitless should not, however, constrain their choice of political action.<sup>49</sup> In our context, this presumption against vandalism is lifted *when there are no other effective responses to tainted commemorations* that satisfy both the self-respect and preservationist desiderata. We have seen that two of the most common responses to tainted commemorations are beset with difficulties. In contrast, vandalism—when guided by the constraints set above—can address these difficulties. My claim is that the presumption against vandalism which centers on its illegality may be lifted in such circumstances. That is, in such circumstances, activists may appeal to the last resort condition as grounds for engaging in vandalism. The *conditionality* of this argument for vandalism reflects our considered judgment that law-breaking actions should not be taken unless activists have run out of fruitful legal options. Indeed, it is notable that vandalisms frequently occur when activists judge that the authorities are unwilling to listen or engage with their concerns through official means or that efforts to address their concerns through those means have proved to be repeatedly fruitless.

We may be tempted to reject the conditionality of my defense of vandalism, by referring to the additional work that vandalizing tainted commemorations can do, relative to counter-commemorations and contextualizing plaques. Among other things, vandalism can be a way for activists and members of formerly groups to express their emotions. For instance, smearing feces on the statue of Rhodes is an expression of anger that is not easily achieved (if at all) by establishing counter-

48. Brownlee, *Conscience and Conviction*; Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge: Belknap Press, 2016); Candice Delmas, *A Duty to Resist: When Disobedience Should Be Uncivil* (Oxford: Oxford University Press, 2018).

49. John Rawls, *A Theory of Justice: Revised Edition* (Cambridge: Belknap Press, 1999), pp. 327–28.

commemorations or contextualizing plaques. Such expressions can constitute apt responses to injustice and even be politically productive.<sup>50</sup> Should we include expressiveness as among the desiderata which a response to tainted commemorations must satisfy? Or should we take it as a “bonus” achievement of vandalism which may function as a tiebreaker in cases where vandalism equally satisfies the demands of the two opposing views, compared to other responses? I do not take a stance on this issue here. I note simply that expressiveness in this sense is not typically part of the demand of even those seeking to remove tainted commemorations. Moreover, it is likely to be regarded by those seeking to preserve commemorations as loading the die against their favor.

In sum, the four presumptions against vandalism may be lifted, and we should take vandalism seriously as a response to tainted commemorations. Before concluding, two brief qualifications of this argument are important. First, the defense of vandalizing tainted commemorations does not commit me to the further claim that there is a requirement or duty to vandalize them. The argument here shows only that vandalism can be a response to tainted commemorations which adjudicates the demands of two opposing views and avoids the worries besetting the earlier responses. Second, the defense of vandalism is provisional. There are further worries about vandalism—including, crucially, whether it is civil—that I have not addressed, and which may rule out vandalism all-things-considered.

## VI. CONCLUSION

I have undertaken several tasks in this article. In clarifying the nature of commemoration, I have shown that they may be tainted in more ways than is commonly assumed. I have also clarified the demands of the two dominant yet opposing views about our treatment of tainted commemorations and shown that they are not naive. Finally, I have provided a qualified defense of vandalism: first by showing the deficiencies of existing suggestions about what to do about tainted commemorations, and next by

50. Amia Srinivasan, “The Aptness of Anger,” *Journal of Political Philosophy* 26 (2018): 123–44; Maxime Lepoutre, “Rage Inside the Machine: Defending the Place of Anger in Democratic Speech,” *Politics, Philosophy & Economics* 17 (2018): 398–426. For a rejection of anger in politics, see Martha C. Nussbaum, *Anger and Forgiveness: Resentment, Generosity, Justice* (Oxford University Press, 2016).

showing how vandalism can overcome them. We should take vandalism seriously as a response to tainted commemorations.

By way of concluding this article, I wish to briefly consider two issues for further exploration. The first begins with the observation that the most effective ways of responding to tainted commemorations involve significant changes to the use of public spaces or the presentation of commemorations in public spaces. Counter-commemorations, contextualizing plaques, and vandalism must be prominently displayed to be properly effective. This, however, may make public spaces *ugly*. Intuitively, this appears to be a significant consideration when we decide how to respond to tainted commemorations. Yet there is little within contemporary political philosophy that allows us to make sense of its weight relative to the more “elevated” considerations, to do with justice, self-respect, history, and so on. Indeed, aesthetic considerations are often not even regarded as relevant to our choice of political response. This neglect may well be a mistake.

Second, and relatedly, the conclusions in this essay do not immediately apply to other tainted objects. This is not a failing, but a result of acknowledging the presence of additional considerations which I have not discussed, and which have the potential to affect our evaluation of how well candidate strategies respond to opposing demands. For instance, there is a question of what we should do about artwork, when they threaten the self-respect of certain members. It is argued that the portrayal of women as nude and passive in many artworks contributes to the formation and sustenance of a culture that does not regard them as equals,<sup>51</sup> or even that it is a constitutive aspect of such a culture. What should we do about such artworks, including those which are regarded as artistic masterpieces? Our concern with them is not simply historical but *also aesthetic*. As with the case of tainted commemorations, the dominant positions about the appropriate treatment of artwork are opposed to each other. Consider the actions of Mary Richardson, a suffragette who attacked the *Rokeby Venus* (a painting by Diego Velázquez, housed in the National Gallery in London) with a chopping knife in 1914. This attack was part of a suffragette protest and other similar attacks followed. Even then, the debates were dominated by those who thought that aesthetic concerns were trivial

51. Lynda Nead, *The Female Nude: Art, Obscenity, and Sexuality* (London: Routledge, 1992).

or irrelevant to what the activists were permitted to do, and those who thought that they were so weighty as to rule out such treatment of artwork. Each took their favored consideration as conclusive for the decision of what to do. Yet unlike the case of tainted commemorations, the concern with aesthetics is *integrated* into the demands by those who seek to preserve them. Indeed, there is a strong presumption in favor of leaving the artwork as it is, without any modification. Our evaluation of the effectiveness of responses in meeting the demands of the two opposing views will correspondingly change. For one, vandalism may no longer be a response that effectively preserves what is identified as being of value by the opposing views.

Different considerations are again involved when we consider tainted commemorative *practices* or *private* commemorations, among other things. Given the heterogeneity and complexity of these phenomena, we should not expect the conclusions about our treatment of tainted commemorations to immediately apply to other tainted objects. Instead, we should take the complexities seriously and face them head-on.